

REMARKS

The Examiner has required restriction under 35 U.S.C. § 121 between:

- I. Claims 1-14, drawn to a method and system for managing returnable containers, classified in class 705, subclass 28; and
- II. Claims 15-20, drawn to a method for managing returnable containers also involving process flows and transferring inventories, classified in class 705, subclass 22.

It is the Examiner's position Inventions I and II are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct if they do not overlap in scope and are not obvious variants, and if it is shown that at least one subcombination is separately usable. Specifically, the Examiner believes that subcombination II has separate utility such as identifying process flows and transferring inventories.

Applicant respectfully traverses the requirement and disagrees that the subcombinations identified by the Examiner are distinct. The Examiner states that subcombination II has separate utility such as identifying process flows and transferring inventories. Claims 1 and 8 have claim elements related to creating container inventory holding areas for a manufacturer's supply chain, determining container allocation quantities for suppliers, determining supplier on-hand containers, determining actual quantities that the suppliers need, and then transferring the needed containers to the suppliers. Claim 15 has claim elements similar to those in claims 1 and 8 related to creating container inventory holding areas, determining allocations, on-hand, and actual quantities and then transferring the containers to suppliers. The process flows added to

claim 15 are “process flows” for container transfer (from original claim 15 – “each process flow represents a transfer of containers from a first one of said plurality of inventory holding areas to a second one of said plurality of inventory holding areas”). The “transferring inventories” are transferring inventories of containers (from original claim 15 – “transferring said inventory of containers at each of said inventory holding areas according to said process flows”).

Applicant has amended claims 15 and 18 to indicate more clearly that the process flows are container process flows and that the inventory transfers are container inventory transfers. Applicant respectfully submits that because amended claims 15 and 18 are clearly related to managing containers as are claims 1 and 8, there is no separate utility for claims 15-20 for identifying process flows and transferring inventories. Applicant, therefore, respectfully traverses the requirement and requests an office action on the merits for claims 1-20.

In response to the restriction requirement, Applicant hereby elects with traverse Invention I covered by Claims 1-14, inclusive, for examination. Applicant's election is made without prejudice with respect to the remaining claims.

Respectfully submitted,

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